



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRR-2928-2025 (O&M)
DECIDED ON: 14.01.2026**

LAKHVIR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Mansur Ali, Sr. Advocate with
Mr. Imran Ahmad Ali, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab.

MANDEEP PANNU, J (ORAL)

1. The present criminal revision petition has been filed by the petitioner—accused Lakhvir Singh alias Lukhi challenging the judgment and order of sentence dated 29.04.2019 passed by the learned Judicial Magistrate First Class, Derabassi, whereby the petitioner was convicted under Sections 279, 337, 338 and 427 of the Indian Penal Code, as well as the judgment dated 11.11.2025 passed by the learned Additional District and Sessions Judge, S.A.S. Nagar, Mohali, whereby the appeal preferred by the petitioner was dismissed and the judgment of conviction and order of sentence passed by the trial court were affirmed.

2. The learned Judicial Magistrate First Class, Derabassi, vide order on quantum of sentence dated 29.04.2019, sentenced the petitioner to undergo simple imprisonment for a period of three months for the offence

punishable under Section 279 IPC, simple imprisonment for a period of three months for the offence punishable under Section 337 IPC, and rigorous imprisonment for a period of six months for the offence punishable under Section 338 IPC, along with a fine of ₹500/-, and in default of payment of fine, to further undergo simple imprisonment for a period of seven days. The sentences were ordered to run concurrently.

3. The brief facts of the case, as borne out from the judgment of the trial court, are that on 27.01.2016 a telephonic message was received at Police Station Zirakpur regarding admission of injured persons in Government Medical College and Hospital, Sector 32, Chandigarh, due to a road side accident. On receipt of the information, ASI Tilak Raj along with the police party reached GMCH, Sector-32, Chandigarh and sought opinion regarding the fitness of the injured persons. The concerned doctor declared all the injured fit to make statements except Gurmeet Singh, who was referred to PGI, Chandigarh. Thereafter, ASI Tilak Raj recorded the statement of injured Buta Singh, who stated that on 26.01.2016, after boarding passengers in his auto-rickshaw, he was coming to Banur from Rajpura and three passengers wished to go to Zirakpur. For dropping them, he crossed village Banur and when he reached near Adda Jhungia, Zirakpur at about 11:30 PM, a tipper bearing registration No. PB-10-CW-0181 came from behind while overtaking and hit his auto-rickshaw, as a result of which the auto-rickshaw overturned. Due to the said accident, the passengers sitting in the auto-rickshaw received severe injuries and suffered fractures, while the complainant also sustained injuries on his face and knee and his auto-rickshaw was badly damaged. The driver of the offending vehicle came near the complainant and disclosed his name as Lakhvir Singh son of Avtar

Singh but on seeing people gathering at the spot, he fled away. The passers-by arranged an ambulance and the injured were shifted to GMCH, Sector-32, Chandigarh.

4. Upon finding the statement of the complainant reliable, ruqa was sent to the police station for registration of the FIR, on the basis of which FIR No. 26 dated 27.01.2016 under Sections 279, 337, 338 and 427 IPC was registered at Police Station Zirakpur. During investigation, statements of witnesses were recorded under Section 161 Cr.P.C. and the accused was arrested in the present case. After completion of necessary investigation, challan under Section 173 Cr.P.C. was presented in the Court. Copies of the challan were supplied to the accused free of cost and thereafter the accused was charge-sheeted for the aforesaid offences, to which he pleaded not guilty and claimed trial.

5. In order to prove its case, the prosecution examined the complainant as well as other injured witnesses, the Investigating Officer, medical experts and formal witnesses. Documentary evidence including medico-legal reports, site plan, mechanical inspection reports and other relevant documents were also proved on record. After completion of the prosecution evidence, the statement of the accused was recorded under Section 313 of the Code of Criminal Procedure, wherein all the incriminating circumstances appearing against him were put to him, which he denied and pleaded false implication. No defence evidence was led. After hearing the arguments addressed by learned counsel for the parties, the learned Judicial Magistrate First Class, Derabassi, vide judgment dated 29.04.2019, convicted the accused for the offences punishable under

Sections 279, 337 and 338 of the Indian Penal Code and sentenced him accordingly.

6. Aggrieved by the said judgment of conviction and order of sentence, the petitioner preferred an appeal, which was dismissed by the learned Additional District and Sessions Judge, SAS Nagar, Mohali vide judgment dated 11.11.2025, thereby affirming the findings of conviction and sentence recorded by the learned trial Court. Hence, the present criminal revision petition.

7. Learned counsel for the petitioner, at the outset, has fairly submitted that the petitioner does not dispute the judgment of conviction as recorded by the learned trial Court and affirmed by the learned Appellate Court. It has been submitted that the challenge in the present revision petition is confined only to the quantum of sentence. Learned counsel has further prayed that a lenient view be taken and the petitioner be released on probation, keeping in view the nature of the offence, the age of the petitioner, and the fact that he is not a previous convict.

8. So far as the prayer with regard to the quantum of sentence is concerned, this Court finds considerable force in the submissions made on behalf of the petitioner. The occurrence in question pertains to the year 2016 and the petitioner has faced the rigours of criminal proceedings for a considerable period of time. There is nothing on record to suggest that the petitioner is a habitual offender or that he has misused the concession of bail. The offence, though serious, is the result of rash and negligent driving and not of any deliberate or intentional act. In the considered opinion of this Court, at this stage, sending the petitioner back to incarceration would not serve any meaningful purpose and the ends of justice would be adequately

met by adopting a reformative approach. Accordingly, the petitioner is ordered to be released on probation of good conduct for a period of one year in terms of the provisions of the Probation of Offenders Act, 1958, on his furnishing probation bonds in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the learned trial Court, with an undertaking to maintain peace and good behaviour during the period of probation. In case of breach of any of the conditions of probation, the petitioner shall be liable to be called upon to receive the sentence as originally awarded by the learned trial Court.

9. Accordingly, the present revision petition is disposed of in the aforesaid terms.

10. All pending miscellaneous application(s), if any, stands disposed of.

14.01.2026

Poonam Negi

(MANDEEP PANNU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No